

**Notice of Allowability**

Application No.

10/002,306

Examiner

Linh LD Son

Applicant(s)

SMITH ET AL.

Art Unit

2135

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment dated 11/14/06.
2. ☒ The allowed claim(s) is/are 1-6, 13-19, and 22-23.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 5. <input type="checkbox"/> Notice of Informal Patent Application  |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>Attached</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment  |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance                                    |
|  | 9. <input type="checkbox"/> Other _____  |

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Larry Cullen on 02/01/07.

The application has been amended as follows:

1. (Currently amended) A method of seamlessly transferring an ongoing communication session between a first device and a correspondent device on an IP network from the first device to a second device, the method comprising:

initiating a communication session between the correspondent device and the first device having a first device IP address, and being configured to allow a user to receive or send the communication session therefrom, whereby the correspondent device is configured able to communicate with the first device during the communication session;

negotiating to transfer the communication session from the first device to a second device, the second device being configured to allow a user to receive or send the communication session therefrom; and

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transferring the first device IP address away from the first device to [[a]] the second device so that data transferred from the correspondent device to the first device via the address thereof will be received by the second device,

wherein the transferring of the first device IP address comprises: transferring the first device IP address from the first device to a Session Agent so that data transferred from the correspondent device to the first device via the address thereof will be received by the Session Agent and routed to the second device.

Claims 7-12. Canceled.

13. (Currently amended) A method according to claim 5, wherein the first device and the second device are located on different subnets and the method further comprises:

notifying [[an]] the Session Agent of the desire to transfer so that the Session Agent can intercept the sessions addressed to the first device IP address;

intercepting the sessions addressed to the first device at the first device IP address via the Session Agent; and

tunneling the session from the first device to the second device once the first device IP address has been transferred to the second device.

14. (Currently amended) A method according to claim 13, wherein the method further comprises: authenticating the notice from the first device to the Session Agent to ensure that the first device is the source of the notice.

15. (Currently amended) A method according to claim 13, wherein the method further comprises: notifying the Session Agent whether the second device is authorized to transfer the session.

16. (Currently amended) A method according to claim 13, wherein the method further comprises:

generating a random number to serve as a session key for the secure transfer of the session between the Session Agent and the second device;

encrypting the session key;

transferring the encrypted session key between the first device and the second device and the first device and the Session Agent; and

using the session key to securely transfer the communication session from the Session Agent to the second device.

17. (Currently amended) A method for transferring an ongoing communication session in an IP network from a first node to a second node via use of an IP address without disrupting the communication session, the method comprising:

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initiating a communication session between a first node and a Correspondent Node, the first node being configured to allow a user to receive or send the communication session therefrom, whereby the Correspondent Node is configured able to communicate with the first node during the communication session;

negotiating a transfer of the communication session between the Correspondent Node and the first node to the Correspondent Node and a second node such that the second node will generally assume the IP address of the first node, the second node being configured to allow a user to receive or send the communication session therefrom;

notifying an Agent about the transfer so that the Agent can intercept communications addressed to the first node and forward the communications to the second node; and

intercepting and forwarding the communications addressed to the first node to the second node such that the communication session with the Correspondent Node continues without interruption,

wherein the step of notifying the Agent comprises: transferring the first device IP address from the first device to the Agent so that data transferred from the correspondent device to the first device via the address thereof will be received by the Agent and routed to the appropriate device.

18. (Currently amended) A method of transferring an ongoing communication session between a Transferring Node and a Correspondent Node from

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the Transferring Node to a Target Node without disrupting the communication session, the method comprising:

initializing a communication session between a Correspondent Node and a Transferring Node, the Transferring Node being configured to allow a user to receive or send the communication session therefrom, whereby the Correspondent Node is configured able to communicate with the Transferring Node during the communication session;

negotiating a session transfer between the Transferring Node and a Target Node;

generating a random number to serve as a session key as a result of the negotiating;

encrypting the session key via a security association between the Transferring Node and an Agent;

transmitting the encrypted session key between the Transferring Node and the Target Node, the Target Node being configured to allow a user to receive or send the communication session therefrom;

notifying the Agent that the communication session is being transferred from the Transferring Node to the Target Node;

authenticating the transfer notification by having the Agent verify that the Transferring Node sent the transfer notification;

intercepting the session communications intended for the Transferring Node via the Agent; and

tunneling the session communications intended for the Transferring Node to the Target Node via the Agent.

Claims 20-21      Canceled.

22.    (Currently amended)      A system for seamlessly transferring an ongoing communication session on an IP network, the system comprising:

        a Correspondent Node for transmitting and receiving packets of data within a communication session;

        a Transferring Node having a Transferring Node IP address being capable of participating in the communication session with the Correspondent Node, and being configured to allow a user to receive or send the communication session therefrom;

        a Target Node capable of participating in the communication session with the Correspondent Node, and being configured to allow a user to receive or send the communication session therefrom; and

        an IP network capable of transferring the communication session between the Correspondent Node and the Transferring Node from the Transferring Node to the Target Node by transferring the Transferring Node IP address from the Transferring Node to the Target Node,

wherein the transferring of the first device IP address comprises: transferring the Transferring Node IP address from the Transferring Node to a Session Agent so that

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data transferred from the Correspondent Node to the Transferring Node via the address thereof will be received by the Session Agent and routed to the Target Node.

23. (Currently amended) A system according to claim 22, wherein the ~~system further comprises: an~~ Session Agent intercepts ~~for intercepting the~~ communication session directed to the Transferring Node IP address and transfers ~~transferring~~ the communication session to the Target Node located on a foreign subnet.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Linh LD Son whose telephone number is 571-272-3856. The examiner can normally be reached on 9-6 (M-F).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on 571-272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

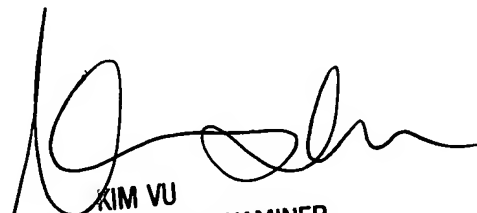


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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Linh LD Son  
Examiner  
Art Unit 2135

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